

**MEDICAL LICENSING BOARD OF INDIANA
INDIANA GOVERNMENT CENTER SOUTH
402 WEST WASHINGTON STREET
ROOM W064
INDIANAPOLIS, INDIANA 46204**

MINUTES OF MAY 27, 2010

Stephen Huddleston, J.D., President called the meeting to order at 9:37 a.m. and declared a quorum in accordance with IC 25-22.5.

Members Present: Stephen Huddleston, J.D., Consumer
Member, President
Robert Allen, M.D.
Lynda Smirz, M.D.
Worthe Holt, Jr., M.D.
Thomas Akre, D.O (left at 3:30p.m.)
Bharat Barai, M.D., Vice President

Members Not Present: Donald Vennekotter, M.D., Secretary

Staff Present: Kristen Kelley, Board Director
Professional Licensing Agency
Jody Edens, Assistant Board Director
Professional Licensing Agency
James Schmidt, Deputy Attorney General
Office of the Attorney General
Liz Brown, Deputy Attorney General
Office of the Attorney General

The Board voted to adopt the agenda as amended.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.,
Worthe Holt, Jr., M.D., Lynda Smirz, M.D., Bharat Barai, M.D

Holt/Allen, 5/0/0
Motion carries

The Board voted to adopt the minutes of the April 22, 2010 meeting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D.,
Worthe Holt, Jr., M.D., Lynda Smirz, M.D., Bharat Barai, M.D

Holt/Allen, 5/0/0
Motion carries

RULE ADOPTION

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D., Bharat Barai, M.D, Thomas Akre, D.O.

None of the rules have an impact on small businesses.

After discussion the Board moved to re-adopt the following rules:

844 IAC 2.2-2-8 Certification of physician assistants; fees
844 IAC 5-1 General Provisions
844 IAC 5-3 Appropriate Use of the Internet in Medical Practice
844 IAC 5-4-1 General Provisions
844 IAC 6-4-1 Mandatory registration; renewal

Barai/Smirz, 6/0/0
Motion carries

PERSONAL APPEARANCES

INITIAL/RENEWAL APPLICANTS

The following appeared before the full Board for their scheduled personal appearances and were sworn in under oath:

Zulfiqar Ali, M.D. – Dr. Ali appeared before the Board regarding a request for a waiver of the USMLE three (3) attempts rule and the USMLE ten (10) year rule and was not represented by counsel. He originally appeared before the Board in April 2010. His application was tabled at that time for additional information.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D., Bharat Barai, M.D,

844 IAC 4-4.5-12 states:

(2) An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the examination, the applicant must obtain a passing score.

(3) All steps of the USMLE must be taken and successfully passed within a ten (10) year time period. This ten (10) year period begins when the applicant first passes a step, either Step I or Step II. In counting the number of attempts regarding USMLE steps, previous attempts on the National Board Medical

Examination and the examination of the Federation of State Medical Boards of the United States are included.

Dr. Ali passed the USMLE step II on the fourth (4th) attempt and it was 10 years and 10 months from the time he passed his first step to the time he passed his last step.

Jill Muller, Personnel Director and Steven Howell of Northeast Center Incorporated were sworn in as witnesses for Dr. Ali.

After discussion the Board moved to GRANT the waiver of the three (3) attempts and ten (10) year rules based upon the following:

- Appearance of Jill Muller and Steven Howell on Dr. Ali's behalf
- Currently committed to weekend employment with Northeast Center Inc., Kendallville, Indiana as he must complete his contract with the VA Hospital. His VA contract is effective until August 2011. In August 2011 he will commit to a three (3) year contract with Northeast Center Inc. in which he will serve in an underserved area. He assured the Board he would sign the contract and fulfill the terms of the contract.
- Mr. Howell indicated that Dr. Ali will fill an unmet need for a Psychiatrist in this area of Indiana. They have a shortage of Psychiatrists in this rule area of Indiana.
- Must obtain board certification within two years from today.
- Licensed in Michigan and Pennsylvania
- Letters of recommendation from:
 1. Donald Wilson, PhD, HSPP, Acting Chief, Mental Health Services, Dept of Veterans Affairs, VA Hospital Fort Wayne
 2. Bruce Nerenberg, PhD, HSPP, CADC, Doctorates in Philosophy and Psychology, Licensed Psychologist and Certified Alcohol and Drug Counselor, VA Hospital Fort Wayne.
 3. John A. Ott, PhD, HSPP, Licensed Psychologist, VA Hospital Fort Wayne

Holt/Barai, 5/0/0
Motion carries

Anas Alzoobi, M.D. – Dr. Alzoobi appeared before the Board regarding a waiver of the USMLE three (3) attempts rule and was not represented by counsel. He originally appeared before the Board in April 2010. His application was tabled at that time for additional information.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D.

844 IAC 4-4.5-12 (2) states "An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the examination, the applicant must obtain a passing score."

Dr. Alzoobi passed USMLE step II on the 4th attempt.

Madison Sample, M.D., Continental Anesthesia/Franciscan Hospital was sworn in as a witness for Dr. Alzoobi.

After discussion the Board moved to GRANT the waiver of the three (3) attempts and ten (10) year rules based upon the following:

- Appearance of Madison Sample, M.D., Continental Anesthesia/Franciscan Hospital.
- Letter from Ranjan Singh, M.D. indicating an unmet need for the skill set of specialty – Cardiac Anesthesiologist.
- Licensed in Illinois and Arkansas
- Is double board certified

Smirz/Barai, 5/0/0
Motion carries

Haitham Al-Okk, M.D. – Dr. Al-Okk appeared before the Board regarding a waiver of the USMLE three (3) attempts rule and a positive response on his initial application for licensure and was not represented by counsel. He originally appeared before the Board in April 2010. His application was tabled at that time for additional information.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

844 IAC 4-4.5-12 (2) states “An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the examination, the applicant must obtain a passing score.”

Dr. Al-Okk passed both USMLE steps II and III on the fourth (4th) attempt.

Robert McLin, President & CEO and Gerald Waldroup, Senior Vice President of Good Samaritan Hospital were sworn in as witnesses for Dr. Al-Okk.

After discussion the Board moved to GRANT the waiver of the three (3) attempts and ten (10) year rules based upon the following:

- Appearances of Robert McLin, President & CEO and Gerald Waldroup, Senior Vice President of Good Samaritan Hospital
- Mr. Waltrip testified of an unmet need with only one (1) Oncologist they desperately need a second one and Dr. Al-Okk will meet this need. Dr. Al-Okk is the seventh (7th) Physician they tried to employ for this unmet need.
- Licensed in Kentucky
- Has three (3) board certifications; in Internal Medicine, Medical Oncology, Hematology
- Has signed a two (2) year contract and has agreed to fulfill the terms of this contract. The contract is with Good Samaritan Hospital. Good Samaritan is a County Hospital and serves ten (10) surrounding counties; six (6) of which are designated as underserved and three (3) out of the other four (4) have specific townships that are designated as underserved in the county.

Barai/Allen, 5/0/0
Motion carries

Ali Bakhshalizadeh, M.D. – Dr. Bakhshalizadeh appeared before the Board regarding a waiver of the USMLE three (3) attempts rule and a positive response on his initial application for licensure and was represented by counsel John Ittenbach.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

844 IAC 4-4.5-12 (2) states "An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the examination, the applicant must obtain a passing score."

Dr. Bakhshalizadeh passed USMLE Step 2 on his fourth (4th) attempt.

For his exceptional circumstances for the waiver request, Dr. Bakhshalizadeh submitted documents indicating he does have a recognized disability which qualifies him under the ADA to receive accommodations. Based upon this documentation, the Federation of State Medical Boards approved him for fifty percent (50%) more time in taking the test. With this accommodation in place he passed the first time.

He also submitted Letters of recommendation from Jael Carbajal, M.D., Assistant Professor of Anesthesiology, UT Houston; Davide Cattano, M.D., PhD, Assistant Professor, Dept of Anesthesiology, UT Houston; Valdimir Melnikov, M.D., Director, Bariatric Anesthesiology, UT Houston.

He holds an active license in Pennsylvania.

After discussion the Board moved to GRANT the waiver of the three (3) attempts rule based upon the following:

- ADA eligible disability and the fact that he passed the first time using this accommodation
- Three (3) letters of recommendation
- Licensed in Pennsylvania

Barai/Smirz, 2/3/0, with Dr.'s Allen, Holt and Mr. Huddleston objecting
Motion fails

After further discussion the Board moved to TABLE Dr. Bakhshalizadeh's application additional information. The Board requests that Dr. Bakhshalizadeh bring with him information on his future employment in Indiana and his commitment to serve in an underserved area for a certain period of time.

Holt/Allen, 3/2/0, with Dr.'s Smirz and Barai objecting
Motion carries

Van Tran, M.D. – Dr. Tran appeared before the Board regarding the fact that she has been practicing in a residency program in Indiana without a residency permit and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

Christopher Sweeney, M.D., Program Director was sworn in as a witness for Dr. Tran.

Dr. Tran practiced in the residency program doing rotations in Indiana from July 1, 2009 to March 30, 2010 when she was notified by Professional Licensing Agency that she did not have a permit and needed to cease practicing in Indiana immediately. Dr. Sweeney indicated that she did in fact stop practicing on March 30th.

Dr. Sweeney testified that Dr. Tran's application was in process and that his Administrative Assistant let it fall through the cracks. This assistant has been terminated for incompetence.

Dr. Tran explained to the Board that she thought everything was in place here in Indiana. She apologized to the Board and now understands that this is her responsibility not her staff's.

After discussion, the Board moved to APPROVE Dr. Tran's application for a residency permit and ordered her to pay transcript and hearing costs in this proceeding.

Barai/Holt, 5/0/0
Motion carries

Benjamin Aumiller, M.D. – Dr. Aumiller appeared before the Board regarding positive responses on his initial application for licensure and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

Candace Backer, Indiana State Medical Association Impaired Physicians Program, was sworn in as a witness for Dr. Aumiller

From September 1997 through December 2000, Dr. Aumiller was arrested seven (7) times, all incidences involving alcohol. Two arrests were specifically for DUI's.

Ms. Backer informed the Board that Dr. Aumiller was assessed at Resurrection and has signed a five (5) year contract with ISMA. She stated that he has been very cooperative.

After discussion the Board moved to APPROVE Dr. Aumiller's application for licensure.

Barai/Smirz, 5/0/0
Motion carries

Raakesh Bhan, M.D. – Dr. Bhan appeared before the Board regarding a positive response on his renewal application and was not represented by counsel.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

Dr. Bhan explained his malpractice action and discussed the Borgess Medical Center suspension with the Board.

After discussion the Board moved to APPROVE Dr. Bhan for license renewal.

Holt/Barai, 5/0/0
Motion carries

Daniel Quinn, M.D. – Dr. Quinn appeared before the Board regarding a waiver of the USMLE three (3) attempts rule on his initial application for licensure and was represented by counsel Barclay Wong.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Bharat Barai, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D.

844 IAC 4-4.5-12 (2) states "An applicant may have a maximum of three (3) attempts to pass each step of the USMLE. Therefore, upon the third seating of each step of the examination, the applicant must obtain a passing score."

Dr. Quinn passed USMLE step 3 on the fourth (4th) attempt.

Gregory Merrell, M.D., Indiana Hand Center was sworn in as a witness for Dr. Quinn.

Dr. Merrell informed the Board that the Indiana Hand Center staffs the VA Hospital as well as Wishard Hospital. In the VA Hospital Dr. Quinn will be

serving Veterans, some of which are indigent. At Wishard he will also be serving the indigent.

After discussion, the Board moved to GRANT the waiver of the three (3) attempts rule based upon the following:

- Appearance of Gregory Merrell, M.D., Indiana Hand Center
- Serving the indigent at the VA Hospital and Wishard Hospital through his fellowship with the Indiana Hand Center.
- Indiana Hand Center selects only six (6) extremely qualified physicians in to their program.
- Letter of recommendation from:
 1. Jason Calhoun, M.D., VACS, Professor & Chair, Dept of Orthopaedics, Frank J. Kloeene Chair in Orthopaedic Surgery
 2. Joel Mayerson, M.D., Associate Professor of Orthopaedic Surgery, Director Musculoskeletal Oncology, The Arthur James Cancer Hospital at the Ohio State University, Program Director, Orthopaedic Surgery Residency, Co-Director, Bone Tumor Clinic, Nationwide Children's Hospital
 3. Laura Phieffer, M.D., Assistant Professor of Orthopaedic Surgery, Director of Orthopaedic Trauma at the Ohio State University Medical Center.
- Passed Step 1 and Step 2 on first attempt
- After completion of the Hand Center Fellowship, Dr. Quinn must appear before the Board with a plan on continuing to serve in Indiana's underserved areas.

Barai/Smirz, 5/0/0
Motion carries

ADMINISTRATIVE HEARINGS

The following hearings were continued:

Alex Argotte, M.D., License No. 01065183A, Cause No. 2009 MLB 0036
Cynthia Ellis, M.D., License No. 01034480A, Cause No. 2007 MLB 0027
Michael R. Johnson, License No. 01035838A, Cause No. 2001 MLB 0012

Bruce Fowler, M.D., License No. 01037046A, Cause No. 2008 MLB 0040

Respondent did appear in person and was not represented by counsel regarding a Request for Modification of Probation scheduled before the Board. The State of Indiana was represented by Elizabeth Keifner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

Dr. Fowler is requesting modification of his probationary order.

Term C states "Respondent shall cause his employer to submit monthly reports to the Board advising of his professional competence, sense of responsibility, work habits, mental attitude, and ability to work with others on a monthly basis for the first year of probation and quarterly thereafter."

Dr. Fowler indicated that the weight loss clinic he was working for has closed down and he wanted to work independently doing hair transplants.

Dr. Fowler also informed the Board that he had a second (2nd) DEA certificate that was surrendered due to record keeping. This surrender occurred while his license was on Probation.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to TABLE Dr. Fowler's request for modification.

Barai/Akre, 1/5/0, with Dr.'s Akre, Holt, Smirz, Allen, Barai and Mr. Huddleston
objecting
Motion fails

After further discussion the Board moved to DENY Dr. Fowler's request for modification.

Smirz/Barai, 6/0/0
Motion carries

John A. Heidingsfelder, M.D., License No. 01037311A, Cause No. 2006 MLB 0037

Respondent appeared in person and was not represented by counsel regarding a Request to Withdraw the Order of Probation scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

Dr. Heidingsfelder informed the Board that he is compliant with the terms of his probation order. He is currently doing forensic pathology and has for the past twenty-one (21) years.

Ms. Kiefner-Crawford reminded the Board that according to the Respondent's order he is not eligible for withdrawal of probation until July 2010.

After having considered the evidence presented and taking official notice of its file in this matter, the Board moved to GRANT Dr. Heidingsfelder's request for WITHDRAWAL of the ORDER OF PROBATION effective July 4, 2010.

Barai/Akre, 6/0/0
Motion carries

Derrick Darrell Jeter, M.D., License No. 01041204A, Cause No. 2005 MLB 0005

Respondent appeared in person and was represented by counsel Robert Saint regarding a Petition for Reinstatement of Licensure scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

Dr. Jeter's license was revoked by the Board in February 2006 after a Notice of Proposed Default was issued. Dr. Jeter did not keep the Board informed of his current mailing address information therefore he did not receive notice of the hearings.

The Board took a break at 11:15 a.m.
The Board reconvened at 11:30 a.m.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY Dr. Jeter's request for reinstatement.

Barai/Akre, 4/2/0, with Dr.'s Holt and Smirz objecting
Motion carries

Michael T. Rogan, M.D., License No. 01065087A, Cause No. 2008 MLB 0018

Respondent appeared in person and was not represented by counsel regarding a Request for Modification of Probation scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

Dr. Rogan is requesting the following term to be deleted from his probation order.

"e. Dr. Rogan may only work for CMS (Correction Medical Services) without permission from the Board."

Dr. Rogan's sobriety date is February 9, 2006. He continues to see his Psychiatrist quarterly and his Counselor as needed.

He is compliant with his ISMA contract. His contract is for ten (10) years.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to TABLE this matter for additional information. The Board requests the following:

- Bring back a proposal from a future employer with a letter indicating they understand what they will be required to do in regards to Dr. Rogan's Probationary Order.
- Letters of support from his Psychiatrist and from ISMA

Akre/Smirz, 6/0/0
Motion carries

**Stephanie Colson Sharpe, M.D., License No. 01051569A, Cause No. 2007
MLB 0017**

Respondent did not appear in person and was not represented by counsel regarding a Renewal of Summary Suspension scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

An agreement between the Respondent and the Attorney General's Office was presented to the Board. The agreement included RENEWAL of the SUMMARY SUSPENSION for a period of ninety (90) days.

After reviewing the agreement and taken its file into consideration the Board moved to ACCEPT the agreement.

Allen/Akre, 6/0/0
Motion carries

**Gregory Lee Spangler, M.D., License No. 01028174A, Cause No. 2010 MLB
0010**

Respondent appeared in person and was represented by counsel Barclay Wong regarding an Agreement for Summary Suspension scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy

Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

An agreement between the Respondent, his counsel and the Attorney General's Office was presented to the Board. The agreement included SUMMARY SUSPENSION for a period of ninety (90) days.

After reviewing the agreement and taking its file into consideration, the Board moved to APPROVE the agreement.

Barai/Smirz, 6/0/0
Motion carries

Beverley J.P. Edwards, M.D., License No. 01026336A, Cause No. 2009 MLB 0024

Respondent did appear in person and was not represented by counsel regarding the State's Motion to Vacate Hearing & Respondent's Objection to Findings of Fact, Conclusions of Law, Final Judgment and Order scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D., Thomas Akre, D.O.

Dr. Edwards stated the basis of her objection is that she was ill during her hearing and that the Board made its decision on inadequate information.

After having considered the evidence presented and taking official notice of its file in this matter the Board moved to DENY the Respondent's motion.

Barai/Holt, 6/0/0
Motion carries

John King, D.O., License No. 02002194A, Cause No. 2010 MLB 0002

Respondent did not appear in person and was not represented by counsel regarding a Notice of Proposed Default scheduled before the Board. The State of Indiana was represented by Elizabeth Kiefner-Crawford, Deputy Attorney General and the court reporter sworn in for this matter was Sherri Rutledge with Rutledge Independent Reporting.

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Lynda Smirz, M.D., Worthe Holt, Jr., M.D., Bharat Barai, M.D.

After having considered the evidence presented and taking official notice of its file in this matter, the Board moved to hold the Respondent's license in DEFAULT.

Allen/Holt, 5/0/0
Motion carries

Dr. King's license was placed on Indefinite Suspension in 2007 based upon action taken by the Alabama Board of Medicine.

Alabama Medical Board has since taken additional action against Dr. King's license. On September 17, 2008 the Board revoked his license based upon care of two (2) patients. He appealed this with the U.S. Court of Appeals and in 2009 the U.S. Court of Appeals confirmed the Alabama Medical Board's decision.

After having considered the evidence presented and taking its file into consideration the Board moved to place the Respondent's license on INDEFINITE SUSPENSION.

Barai/Holt, 5/0/0
Motion carries

DISCUSSION

Correspondence from Baker & Daniels re: prescriptions for OTC medicines:
The Patient Protection and Affordable Care Act (P.L. 111-48) over-the-counter (OTC) medications will no longer be eligible medical expenses for health flexible spending arrangements and health reimbursement arrangements unless the OTC medication is a prescribed drug.

Indiana's law is silent on the issuance of prescriptions for OTC medications because a prescription is not required for an OTC medication.

Baker & Daniels has a client that is proposing to have their medical director, an Indiana licensed physician, prescribe OTC medications to participants that the medical director has never physically examined and diagnosed. The participant would be choosing to purchase and take certain OTC medications without physician direction, the medical director would sign off on a participant's independent decision to obtain and take OTC medications.

The Board requested Michael Rinebold, Indiana State Medical Association to comment on the letter. Mr. Rinebold indicated that the State Medical Association was still looking into this matter.

After discussion the Board moved to not issue any decision on this matter at this time.

CONSENSUS
Motion carries -

Update on Expedited Partner Therapy Committee Meeting: - The State Board of Health is requesting that the law be changed to allow physicians to treat partners of patients that have certain sexually transmitted diseases without examining the partner.

A panel of professionals, including board members, has held several meetings to discuss this matter. The Board will further discussed this issue and except comments at the June board meeting.

FSMB Annual Meeting: - Kristen updated board members on the annual meeting that she and Dr. Barai attended in April. Indiana Medical Board did win the Best of the Boards award by Administrators in Medicine for our new online digital certification process. She also indicated that she, along with several surrounding Midwestern states are involved in a license portability grant and will continue discussions on how to move doctors across state lines with less barriers to practice.

Waiver Requests: - The Board discussed the minimum requirements for them to consider a waiver request. They are as follows:

- Three (3) year employment commitment with a facility in an underserved area
- Employer must appear in person to testify regarding employment contract, present evidence regarding underserved area/providing treatment to indigent patients
- Must be board eligible or be board certified
- Letters of recommendation
- Physician is to cause employer to submit a yearly report that said physician is satisfying his employment contract and is still serving in an underserved area.
- Physician must report to the Board immediately upon his termination from the employment contract in which the waiver was based upon. He must appear before the Board with a new plan and employer that is serving in underserved areas
- License will be null/voided if said Physician fails to complete any items presented and approved as evidence for the waiver. If items are not completed waiver will be voided therefore voiding the license.
- Medical Board staff will send out letters yearly to obtain proof that said Physician is fulfilling his/her employment contract.

REVIEW OF INITIAL/RENEWAL APPLICATIONS

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Worthe Holt, Jr., M.D., Donald Vennekotter, M.D., Bharat Barai, M.D.

The Board reviewed the positive response information on the following applicants and approved them for licensure: Allen/Holt, 5/0/0 Motion carries

Pratik Shah, M.D.

PHYSICIAN ASSISTANT PRESCRIPTIVE AUTHORITY APPLICATIONS

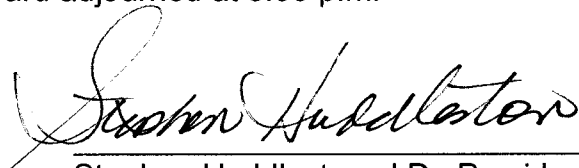
The Board reviewed and approved the following Physician Assistant Prescriptive Authority applications: Barai/Holt, 5/0/0 Motion carries

Participating Board Members: Stephen Huddleston, J.D., Robert Allen, M.D., Worthe Holt, Jr., M.D., Lynda Smirz, M.D., Bharat Barai, M.D.

Kristen Ballenthin, Initial app	Christy Buuck, 10000896A
Joy DeRusha, 10000869A	James Diekema, Initial app
Eric Foreman, 10000115A	Kathryn Gunn, 10001018A
Kristina Gunter, 1000542A	Paula Haffley, 10001013A
Douglas Johnson, Initial app	Jessica Kauth, Initial app
Lateefah Pree, 10001082A	Frank Purciful, 10000844A
Christopher Stephenson, 10000433A	Meredith Woodard, 10001070A
Elizabeth Koch, Initial app	

Mr. Huddleston announced that it was Dr. Akre's last meeting. He thanked him for his dedication and service to the Board.

There being no further business the Board adjourned at 5:55 p.m.



Stephen Huddleston, J.D., President

Donald Vennekotter, M.D., Secretary